

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION**

In re:

**BLAIR W ELINOFF and HAZEL JOYCE  
ELINOFF**

S.S. Nos.: xxx-xx-0818 and xxx-xx-4550

Mailing Address: 4 Thornblade Court, Durham, NC 27712-

**Case No. 10-80384**

Debtors.

**NOTICE TO CREDITORS AND PROPOSED PLAN**

The Debtors have filed for relief under Chapter 13 of the United States Bankruptcy Code on March 4, 2010.

The filing automatically stays collection and other actions against the Debtors, Debtors' property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay, you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

Attached is a copy of the Debtors' proposed Chapter 13 Plan consisting of 2 documents entitled: (1) Chapter 13 Plan and (2) Ch. 13 Plan - Debts Sheet (Middle). This is the same Plan that has already been filed with the Court.

Dated: August 16, 2010

**LAW OFFICES OF JOHN T. ORCUTT, P.C.**

/s John T. Orcutt

John T. Orcutt  
N.C. State Bar No. 10212  
Counsel for the Debtors  
6616-203 Six Forks Rd.  
Raleigh, N.C. 27615  
Tel. No. (919) 847-9750

circular.wpt (rev. 5/17/09)

# **CH. 13 PLAN - DEBTS SHEET** (MIDDLE DISTRICT - DESARDI VERSION)

Date: **2/16/10**

Lastname-SS#: **Elinhoff-0818**

## RETAIN COLLATERAL & PAY DIRECT OUTSIDE PLAN

Creditor Name	Sch D #	Description of Collateral

## SURRENDER COLLATERAL

Creditor Name	Description of Collateral
Morequity	Home & Land

## ARRIARAGE CLAIMS

Creditor Name	Sch D #	Arrearage Amount	(See †)
			**
			**
			**
			**
			**
			**
			**
			**

## REICHED INSECUTORY CONTRACTS/LEASES

Creditor Name	Description of Collateral

## FILED ON PRINCIPAL RESIDENCE & OTHER LONG TERM DEBTS

Creditor Name	Sch D #	Monthly Contract Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
			N/A	n/a		
			N/A	n/a		
			N/A	n/a		
			N/A	n/a		

## SECURED DEBTS at FMV

Creditor Name	Sch D #	FMV	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
			5.00			
			5.00			
			5.00			
			5.00			

## SECURED DEBTS at 100%

Creditor Name	Sch D #	Payoff Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
			5.00			
			5.00			
			5.00			
			5.00			
			5.00			

ATTORNEY FEE (Unpaid part)		Amount
Law Offices of John T. Orcutt, P.C.		\$3,000
SECURED TAXES		Secured Amt
IRS Tax Liens		\$11,374
Real Property Taxes on Retained Realty		
UNSECURED PRIORITY DEBTS		Amount
IRS Taxes		\$17,073
State Taxes		
Personal Property Taxes		
Alimony or Child Support Arrearage		
CO-SIGN PROTECT (Pay 100%)	Int. Rate	Payoff Amt
All Co-Sign Protect Debts (See*)		
GENERAL NON-PRIORITY UNSECURED		Amount
DMI-	\$22	\$1,320

## PROPOSED CHAPTER 13 PLAN PAYMENT

\$ <b>\$601</b>	per month for	<b>60</b>	months, then
\$ <b>N/A</b>	per month for	<b>N/A</b>	months.

Adequate Protection Payment Period: **5.31** months.

Sch D # = The number of the secured debt as listed on Schedule D.
Adequate Protection = Monthly 'Adequate Protection' payment amt.
† = May include up to 2 post-petition payments.
* Co-sign protect on all debts so designated on the filed schedules.
** = Greater of DMI x ACP or EAE (Page 4 of 4)
Ch13Plan_MD_(DeSardi Version 1/12/10) © LOJTO

## Other Miscellaneous Provisions

Plan to allow for 3 "waivers".

## **CERTIFICATE OF SERVICE**

I, WILLIAM MCDONALD, the undersigned, certifies that a copy of the foregoing **NOTICE TO CREDITORS AND PROPOSED PLAN** was served by automatic electronic noticing upon the following Trustee:

Richard M. Hutson, II  
Chapter 13 Trustee

and was also served by first class U.S. mail, postage prepaid, to the following parties at their respective addresses:

**All the creditors set forth on the mailing matrix filing in this case.**

/s WILLIAM MCDONALD  
WILLIAM MCDONALD

North Carolina Department of Revenue  
c/o NC Department of Justice  
Post Office Box 629  
Raleigh, NC 27602-0629

Internal Revenue Service (ED)\*\*  
Post Office Box 21126  
Philadelphia, PA 19114-0326

Citi Mastercard  
Processing Center  
Des Moines, IA 50364-0001

Employment Security Commission  
Attn: Benefit Payment Control  
Post Office Box 26504  
Raleigh, NC 27611-6504

US Attorney's Office (ED)\*\*  
310 New Bern Avenue  
Suite 800, Federal Building  
Raleigh, NC 27601-1461

CSDDUR  
Post Office Box 530  
Durham, NC 27702-0530

Credit Bureau  
Post Office Box 26140  
Greensboro, NC 27402

Amazon.com  
Post Office Box 689182  
Des Moines, IA 50368-9182

Direct Merchants Bank \*\*  
P.O. Box 98701  
Las Vegas, NV 89193-8701

NC Child Support  
Centralized Collections  
Post Office Box 900006  
Raleigh, NC 27675-9006

American Express  
777 American Expressway  
Fort Lauderdale, FL 33337-0001

Durham County Tax Collector  
Post Office Box 3397  
Durham, NC 27701

Equifax Information Systems LLC  
P.O. Box 740241  
Atlanta, GA 30374-0241

Aspire \*\*  
Post Office Box 105555  
Atlanta, GA 30348-5555

Exxon Mobil\*\*  
Credit Card Center  
Post Office Box 688945  
Des Moines, IA 50368-8945

Experian  
P.O. Box 2002  
Allen, TX 75013-2002

Beneficial  
Post Office Box 17574  
Baltimore, MD 21297

Internal Revenue Service (MD)\*\*  
Post Office Box 21126  
Philadelphia, PA 19114-0326

Innovis Data Solutions  
Attn: Consumer Assistance  
P.O. Box 1534  
Columbus, OH 43216-1534

BMW Financial Services  
Post Office Box 78066  
Phoenix, AZ 85062-8066

MACYSDSNB  
911 Duke Blvd  
Mason, OH 45040

Trans Union Corporation  
P.O. Box 2000  
Crum Lynne, PA 19022-2000

Capital One \*\*\*  
Post Office Box 30285  
Salt Lake City, UT 84130-0285

MoreEquity \*\*  
P.O. Box 3788  
Evansville, IN 47736-3788

ChexSystems  
Attn: Consumer Relations  
7805 Hudson Road, Ste. 100  
Woodbury, MN 55125

Chevron \*\*  
c/o GE Money Bank - BK Dept.  
Post Office Box 103104  
Roswell, GA 30076

NCO Fin/22  
507 Prudential Road  
Horsham, PA 19044

NCO Financial Services \*\*  
PO Box 15630  
Dept 99  
Wilmington, DE 19850

Verizon NC  
236 E Town St  
#170  
Columbus, OH 43215

Nordstrom's Department Store  
Post Office Box 78528  
Phoenix, AZ 85062-8528

North Carolina Department of Revenue  
c/o Reginald S. Hinton  
Post Office Box 25000  
Raleigh, NC 27640-5000

North Carolina Dept of Revenue\*\*  
Post Office Box 1168  
Raleigh, NC 27602-1168

Retailers Nat'l Bank/Target\*\*  
c/o Creditors Rights & Bankruptcy  
695 Rancocas Road, Suite 101  
Westampton, NJ 08060

Sally Shinn  
3759 Hartford Highway  
Dothan, AL

SST Columbia  
Post Office Box 84024  
Columbus, GA 31908-4024

The Law Offices of John T. Orcutt  
6616-203 Six Forks Road  
Raleigh, NC 27615

US Attorney's Office (MD)\*\*  
Middle District  
Post Office Box 1858  
Greensboro, NC 27502-1858